UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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In re:

BLOCKFI INC., et al.,

Debtors.1

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Chapter 11

Case No. 22-19361 (MBK)

Jointly Administered under a Confirmed Plan²

APPELLEE/WIND-DOWN DEBTORS' COUNTER-DESIGNATION OF ADDITIONAL ITEMS TO BE INCLUDED IN RECORD ON APPEAL

¹ The Debtors in these Chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: BlockFi Inc. (0015); BlockFi Trading LLC. (2487); BlockFi Lending LLC (5017); BlockFi Wallet LLC (3231); BlockFi Ventures LLC (9937); BlockFi International Ltd. (N/A); BlockFi Investment Products LLC (2422); BlockFi Services, Inc. (5965) and BlockFi Lending II LLC (0154). The location of the Wind-Down Debtors' service address is c/o M3 Partners, 1700 Broadway, 19th Floor, New York, NY 10019.

² On October 3, 2023, the Court entered an order confirming the Third Amended Joint Chapter 11 Plan of BlockFi Inc. and its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code (Additional Technical Modifications). [Docket No. 1609]

In accordance with Fed. R. Bankr. P. 8009(a)(2), Appellee BlockFi, Inc. ("Appellee") respectfully submits the following counter-designation of additional items to be included on the record on appeal. Appellant John W. Van Tubergen Jr. ("Appellant") appeals from (i) the May 16, 2024 Order of the U.S. Bankruptcy Court for the District of New Jersey (Hon. Michael B. Kaplan, U.S.B.J.) [ECF No. 2305] denying Van Tubergen's Motion for Reconsideration; and (ii) the February 8, 2024 Order of the U.S. Bankruptcy Court for the District of New Jersey (Hon. Michael B. Kaplan, U.S.B.J.) [ECF No. 2122] granting the Wind-Down Debtors' Seventh Omnibus Objection to Claim No. 7233 filed by John W. Van Tubergen Jr., which has been docketed as *Van Tubergen et al. v. BlockFi, Inc.*, No. 3:24-cv-06404-ZNQ, in the U.S. District Court for the District of New Jersey [ECF No. 2318].

On June 4, 2024, Appellant filed his *Statement of Issues on Appeal and Designation of Items to be Included in the Record on Appeal* [ECF No. 2330].

DESIGNATION OF ADDITIONAL ITEMS TO BE INCLUDED IN RECORD ON APPEAL

Appellee cross-designates the following items to be included in the record on appeal, including the relevant transcripts that have already been ordered and filed on the record of the Bankruptcy Court, as noted below:

| ECF | Filing Date | Description |
|------|-------------|---|
| No. | | |
| 17 | 11/28/22 | Declaration Of Mark A. Renzi In Support Of Debtors' Chapter 11 |
| | | Petitions And First-Day Motions |
| 609 | 3/13/23 | Order Granting Debtors' Motion For Entry Of An Order (A) |
| | | Approving The (I) Omnibus Claims Objection Procedures And Form |
| | | Of Notice, (II) Omnibus Substantive Claims Objections, And (III) |
| | | Satisfaction Procedures And Form Of Notice, (B) Waiving |
| | | Bankruptcy Rule 3007(E), And (C) Granting Related Relief |
| 1306 | 8/2/23 | Order (I) Conditionally Approving The Adequacy Of The Disclosure |
| | | Statement, (II) Approving The Solicitation And Notice Procedures, |
| | | (III) Approving The Forms Of Ballots And Notices In Connection |
| | | Therewith, And (IV) Scheduling Certain Dates With Respect Thereto |

| ECF | Filing Date | Description |
|------|--------------|---|
| No. | Tilling Date | Description |
| 1309 | 8/3/23 | Third Amended Joint Chapter 11 Plan Of BlockFi Inc. And Its |
| | | Debtor Affiliates Pursuant To Chapter 11 Of The Bankruptcy Code |
| 1310 | 8/3/23 | Disclosure Statement Relating to the Third Amended Joint Chapter |
| | | 11 Plan Of BlockFi Inc. And Its Debtor Affiliates Pursuant To |
| | | Chapter 11 Of The Bankruptcy Code |
| 1333 | 8/9/23 | Proof Of Publication |
| 1448 | 9/5/23 | Affidavit of Service |
| 1573 | 9/22/23 | Affidavit Of Service Of Solicitation Materials |
| 1607 | 9/25/23 | Declaration Of James Daloia Of Kroll Restructuring Administration |
| | | LLC Regarding The Solicitation And Tabulation Of Votes On The |
| | | Third Amended Joint Chapter 11 Plan Of BlockFi Inc. And Its |
| | | Debtor Affiliates Pursuant To Chapter 11 Of The Bankruptcy Code |
| 1609 | 9/25/23 | Notice Of Filing Of Additional Technical Modifications To Third |
| | | Amended Joint Chapter 11 Plan Of BlockFi Inc. And Its Debtor |
| | | Affiliates Pursuant to Chapter 11 Of The Bankruptcy Code |
| 1621 | 9/28/23 | Transcript Of Hearing Held 9/26/23 |
| 1660 | 10/3/23 | Revised Finding Of Fact, Conclusions Of Law, And Order (I) |
| | | Approving The Disclosure Statement Relating To The Third |
| | | Amended Joint Chapter 11 Plan Of BlockFi Inc. And Its Debtor |
| | | Affiliates Pursuant To Chapter 11 Of The Bankruptcy Code On A |
| | | Final Basis And (II) Confirming The Third Amended Joint Chapter |
| | | 11 Plan Of BlockFi Inc. And Its Debtor Affiliates Pursuant To |
| | | Chapter 11 Of The Bankruptcy Code (Additional Technical |
| | | Modifications) |
| 1788 | 10/24/23 | Notice Of (I) Entry Of The Order (A) Approving The Disclosure |
| | | Statement On A Final Basis And (B) Confirming The Third |
| | | Amended Joint Chapter 11 Plan Of BlockFi Inc. And Its Debtor |
| | | Affiliates Pursuant To Chapter 11 Of The Bankruptcy Code |
| | | (Additional Technical Modifications) And (II) Occurrence Of The |
| | | Effective Date |
| 1829 | 11/2/23 | Withdrawal of Wind-Down Debtors' Motion to Quash Subpoena |
| 1978 | 12/15/23 | Affidavit of Service |
| 2246 | 4/18/24 | Status Change Form |
| 2247 | 4/18/24 | Wind-Down Debtors' Response to Claimant John W. Van Tubergen |
| | | Jr.'s Memorandum of Law in Support of Motion Pursuant to Fed. R. |
| | | Bankr. P. 3008, 8002(b), 8007(a), 9023 and 9024 to (A) Alter and |
| | | Amend the Decision and Order Sustaining the Wind-Down Debtors' |
| | | Objection to Claim No. 7233; and (B) Alternatively, Seek Other |
| | | Relief From Such Order |
| 2282 | 4/29/24 | Affidavit of Service |
| | | |

RESERVATION

Appellee reserves the right to amend, modify, and/or supplement the foregoing Counter-

Designation.

Dated: June 18, 2024 Respectfully submitted,

GENOVA BURNS LLC

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